

David J. Linden  
Attorney at Law  
CSBN 41221  
Post Office Box 5780  
Napa, CA 94581-0780  
Tel. (707) 252-7007  
Fax. (707) 252-7883  
Email – [david@lindencottrell.com](mailto:david@lindencottrell.com)  
Attorney for Plaintiff, Enrique Manuel Vicente Sanchez

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA  
SACRAMENTO DIVISION

ENRIQUE MANUEL VICENTE SANCHEZ,	)	Case No.: 2:23-cv-00367-TLN-DMC
	)	
Plaintiff,	)	STIPULATION AND ORDER FOR THE
	)	AWARD OF ATTORNEY’S FEES AND
vs.	)	COSTS PURSUANT TO THE EQUAL
KILOLO KIJAKAZI, Acting Commissioner of	)	ACCESS TO JUSTICE ACT, 28 U.S.C. §
Social Security,	)	2412(D)
	)	
Defendant.	)	

IT IS HEREBY STIPULATED by and between the parties through their undersigned counsel, subject to the approval of the Court, that Plaintiff will be awarded attorney fees in the amount of one thousand two hundred ninety-two and 22/100 dollars (\$1,292.22) under the Equal Access to Justice Act (EAJA), 28 U.S.C. § 2412(d). This amount represents compensation for all legal services rendered on behalf of Plaintiff by counsel in connection with this civil action, in accordance with 28 U.S.C. §§ 2412(d); 1920.

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1 After the Court issues an order for EAJA fees to Plaintiff, the Defendant will consider any  
2 assignment of EAJA fees to David J. Linden. Pursuant to *Astrue v. Ratliff*, 130 S.Ct. 2521, 2252-  
3 2253 (2010), the ability to honor any such assignment will depend on whether the fees are  
4 subject to any offset allowed under the United States Department of the Treasury's Offset  
5 Program. After the order for EAJA fees is entered, the Defendant will determine whether they  
6 are subject to any offset.

7 Fees shall be made payable to Plaintiff, but if the Department of the Treasury determines that  
8 Plaintiff does not owe a federal debt, then the government shall cause the payment of fees to be  
9 made directly to David J. Linden, pursuant to any assignment executed by Plaintiff. Any  
10 payments made shall be delivered to David J. Linden.

11  
12 This stipulation constitutes a compromise settlement of Plaintiff's request for EAJA attorney fees  
13 and does not constitute an admission of liability on the part of Defendant. This award is without  
14 prejudice to the rights of Plaintiff's counsel to seek Social Security Act attorney fees under 42  
15 U.S.C. § 406, subject to the provisions of the EAJA.

16  
17 Dated: May 10, 2023

/s/ David J. Linden  
DAVID J. LINDEN  
Attorney for Plaintiff

18  
19  
20 Dated: May 10, 2023

PHILLIP A. TALBERT  
United States Attorney

21 By /s/ Heidi Triesch  
22 HEIDI TRIESCH  
23 (as authorized by email on 05/10/2023)  
24 Special Assistant US Attorney  
25 Attorneys for Defendant

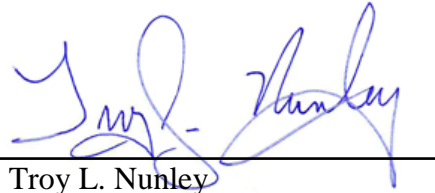
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ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED:

Dated: May 11, 2023



Troy L. Nunley  
United States District Judge